



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

MAY 16 2002

The Honorable Jo Ann Emerson
U.S. House of Representatives
Washington, D.C. 20515

YES

Site:	Herculaneum
ID#	MOD006214 373
Break:	1.0
Other:	
5-16-02	

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OFFICE OF
THE REGIONAL ADMINISTRATOR

Dear Congresswoman Emerson:

Thank you for your letter on behalf of your constituent, Tom Kruzen, about lead contamination in Herculaneum, Missouri. Your letter to the Congressional Liaison Division in our Washington, D.C. office has been forwarded to me for response.

Mr. Kruzen contacted our office directly a few months ago. Enclosed is a copy of our response to Mr. Kruzen.

Since January, when the enclosed letter was sent, many of the cleanup activities described in the letter to Mr. Kruzen have commenced. These activities include yard soil replacement, home interior cleaning, and the provision of high-efficiency particulate arresting (HEPA) vacuum cleaners and health educational material for residents. In addition to these measures, EPA has implemented a voluntary temporary relocation program to families with children until their homes are cleaned and their yard soils replaced.

On April 26, 2002, Doe Run entered into an enforceable agreement with the Missouri Department of Natural Resources (MDNR) to purchase approximately 160 homes located within 3/8 mile of the facility. These buyouts will be offered on a voluntary basis and give residents the option of permanently relocating or staying in Herculaneum.

While EPA supports the residential buyout program as an additional measure of protection from exposure to lead, it is imperative that all of the aforementioned cleanup actions and emission controls continue to be implemented expeditiously. These actions, when implemented concurrently at other lead sites, have achieved a significant reduction in the incidence of elevated child blood lead levels.

Recent data indicates that progress is being made to address the lead contamination in Herculaneum. Ambient air concentrations of lead appear to be the lowest ever monitored. Additional air controls at Doe Run's facility are scheduled to be operating by June 1, 2002. Doe Run is implementing major modifications and best management practices for the handling and

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SUPERFUND RECORDS



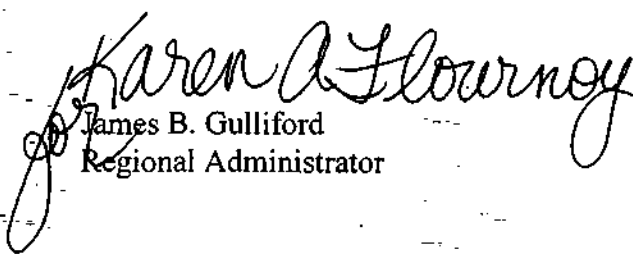
transportation of lead bearing materials. For young children with elevated blood lead levels, re-tests have indicated that blood lead levels have dropped in twenty-one of twenty-three of these children. Blood tests of students and staff in Herculanum schools indicate that the schools are not a significant source of lead exposure.

Although progress is being demonstrated, there is much more cleanup work to be performed. Hundreds of homes need cleaning and yard soils replaced, the extent of smelter contamination needs to be fully defined, and smelter operation modifications must be fully operational. These actions are planned, and it is imperative that they are implemented in order to achieve a lasting reduction in the risk of lead exposure in Herculanum.

EPA will continue to monitor for lead emissions from the smelter and potential recontamination in Herculanum. We will continue to work with MDNR, the Missouri Department of Health and Senior Services (MDHSS), and the Agency for Toxic Substances and Disease Registry (ATSDR) to identify and address risks to the residents of Herculanum. We are committed to reducing the exposure to lead for the residents of Herculanum, especially young children, and ensuring that actions taken at the site achieve this goal for the long term.

If you have questions or if we may be of additional service, please contact me at 913-551-7006 or call Jan Lambert, EPA Congressional Liaison, at 913-551-7003.

Sincerely,


James B. Gulliford
Regional Administrator

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

FEB 13 2002

Tom Kruzen, Field Representative
Missouri Coalition of the Environment
HC67, Box 70-C
Mt. View, MO 65548

OFFICE OF
THE REGIONAL ADMINISTRATOR

Dear Mr. Kruzen:

Thank you for your recent letter concerning contamination in Herculaneum, Missouri. Your letter points out a number of health concerns that residents have mentioned to you. Your letter concludes with a request that the U.S. Environmental Protection Agency (EPA) use its power to move people out of Herculaneum.

We at EPA also have concerns regarding the risks posed by contamination present in Herculaneum. While we do not have specific information to address the illnesses mentioned in your letter, exposure of small children to lead continues to be our highest priority. Although small children are our highest priority, our efforts to reduce exposure are not limited only to residents with small children. We believe that the required actions will benefit all residents of Herculaneum.

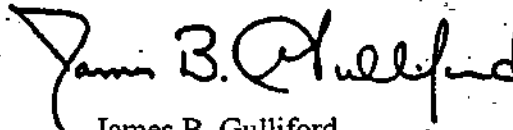
As you are aware, EPA along with the Missouri Department of Natural Resources (MDNR), the Missouri Department of Health (MDOH), and the Agency for Toxic Substances and Disease Registry (ATSDR) have been working for the last several months to require Doe Run to address lead contamination being emitted from the plant as well as establishing a program to remove contaminated soils, and clean the interior of homes and schools. On December 21, 2001, an Order was signed with Doe Run requiring an expedited soil cleanup program along with an interior dust cleaning program. In addition, we have developed a program to offer residents with small children the opportunity to be temporarily relocated. Such a temporary relocation is being offered until such time that the actions to address the exposure of young children to contaminated soil and indoor dust are completed.

We will continue to work with MDNR, MDOH, and ATSDR to determine the risks posed by lead in the community and if further actions are necessary to protect the residents of Herculaneum. We have been considering and will continue to consider all the options available to address lead contamination, including those suggested in your letter. We believe that the required cleanup activities are the most expedient way to address the risks posed by exposure to lead. Similar cleanups conducted at thousands of residential properties at other sites have been very successful at reducing lead exposure. In addition, the offer of temporary relocation of families with small children will provide an added measure of protection for the most sensitive

residents of Herculaneum until the contaminated soil and indoor dust cleanup activities are completed.

If you have any further questions, please contact Tony Petruska at 913-551-7637.

Sincerely,

A handwritten signature in black ink, reading "James B. Gulliford". The signature is written in a cursive style with a large, stylized "J" and "G".

James B. Gulliford
Regional Administrator

**Controlled Correspondence For
R7 REGIONAL ADMINISTRATOR**

CONTROL NO : AL-0200677

ORIG. DUE DATE: 04/26/2002

FILE CODE: 141-A CONGRESSIONAL CORRESPONDENCE

STATUS: PENDING

CORRES. DATE: 04/05/2002

RECEIVED DATE: 04/19/2002

ASSIGNED DATE:

CLOSED DATE:

FROM: EMERSON JO ANN-R/MO
ORG: U.S. HOUSE OF REPRESENTATIVES
SALUTATION: DEAR CONGRESSWOMAN EMERSON
CONSTITUENT:

TO:
TO ORG:
SUBJECT: LEAD CONTAMINATION IN HERCULANEUM, MISSOURI

ASSIGNED:

COPIES OF INCOMING PROVIDED TO: SOLID WASTE & EMERG RESP, VERONICA
SHIVERS-DAVIS

SIGNATURE: REGIONAL ADMINISTRATOR
R7 COMMENTS:

AL INSTRUCTIONS: SEND "HARD" COPY OF SIGNED, DATED REPLY ALONG WITH ORIGINAL
SLIP TO MYRTLE LASHLEY (1304A) HEADQUARTERS. FAXED COPY
ACCEPTABLE (FAX # 202/564-1828).

R7 INSTRUCTIONS: ; Please prepare draft response and e-mail to the Regional Congressional Liaison (RCL)
assigned to this correspondence. If you are unable to meet the due date, please contact
the RCL. All congressional letters will be finalized by the RCL and will be for the
Regional Administrator's signature. At no time will the constituent be contacted without
the involvement of the RCL and the Congressional Office staff member.

To coordinate response, contact Jan Lambert, Ext. 7768
For General Information, contact OEP, Ext. 7003

	Assigned	Date Assigned	Code/Status	Date Completed by Assignee	Date Returned to R7 :
Lead					

**EPA****OFFICE OF CONGRESSIONAL AND INTERGOVERNMENTAL RELATIONS
CORRESPONDENCE CONTROL SLIP****CONTROL NO:** AL-0200677**ORIG. DUE DATE:** 05/03/2002**FILE CODE:** 141-A CONGRESSIONAL CORRESPONDENCE**STATUS:** PENDING**CORRES. DATE:** 04/05/2002**RECEIVED DATE:** 04/19/2002**ASSIGNED DATE:** 04/19/2002**CLOSED DATE:****FROM:** EMERSON JO ANN-R/MO**ORG:** U.S. HOUSE OF REPRESENTATIVES**SALUTATION:** DEAR CONGRESSWOMAN EMERSON**CONSTITUENT:****COMMITTEE:****TO:****TO ORG:****SUBJECT:** LEAD CONTAMINATION IN HERCULANEUM, MISSOURI**ASSIGNED:** REGION 07**COPIES OF INCOMING PROVIDED TO:** SOLID WASTE & EMERG RESP, VERONICA
SHIVERS-DAVIS**SIGNATURE:** REGIONAL ADMINISTRATOR**INSTs:** SEND "HARD" COPY OF SIGNED, DATED REPLY ALONG WITH ORIGINAL
SLIP TO MYRTLE LASHLEY (1304A) HEADQUARTERS. FAXED COPY
ACCEPTABLE (FAX # 202/564-1828).**COMMENTS:****IMS:** CE**IMT:** CASSAUNDRA EADES/DC/USEPA/US

	Assigned	Date Assigned	Code/Status	Date Completed by Assignee	Date Returned to OCIR:
Lead	R7	04/19/2002	ACTION	.	.

JO ANN EMERSON
MEMBER OF CONGRESS
8TH DISTRICT MISSOURI

COMMITTEE
APPROPRIATIONS

SUBCOMMITTEES
AGRICULTURE, RURAL DEVELOPMENT,
FOOD AND DRUG ADMINISTRATION
AND RELATED AGENCIES

ENERGY AND WATER

TRANSPORTATION

E-Mail and Web Page
<http://www.house.gov/joemerson/>

Mr. Joseph Crapa
Congressional Liaison Division
Environmental Protection Agency
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Room 835, 1301
Washington, D.C. 20460

Congress of the United States
House of Representatives
Washington, DC 20515-2508

April 5, 2002

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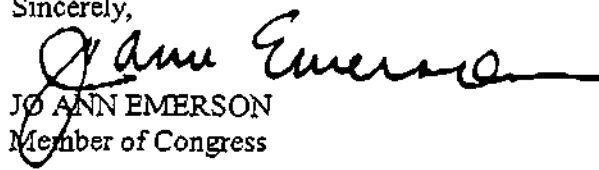
22 EAST COLUMBIA
FARMINGTON, MO 63640
(573) 756-9756

Dear Mr. Crapa:

I have received the enclosed inquiry from my constituent, Tom Kruzen. As you can see, Mr. Kruzen has questions concerning lead contamination at Herculaneum, Missouri and has articulated them in the enclosed letter. I would like to ask your careful review of these comments and your thoughtful consideration of the points that have been raised.

Please direct your response to Grant Erdel of my staff at your earliest convenience. Thank you in advance for your consideration of this matter.

Sincerely,


JO ANN EMERSON
Member of Congress

IAE/ge

December 29, 2001

Mr. James B. Gulliford
Regional Administrator
U.S. Environmental Protection Agency
901 North 5th St.
Kansas City, Kansas, 66101-2907

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env

Re: Lead Contamination in Herculaneum, Missouri

Dear Mr. Gulliford,

I do not live in Herculaneum, Missouri. Newcomers to Herculaneum often get a burning sensation in their eyes and mucous membranes, accompanied by a strange metallic taste. These effects most generally last for several days after leaving "Herky". I have visited the town many times in the last three years, experienced this and have observed and recorded many scenes, stories and incidents. Over that time I have also gotten to know many residents.

Too many of their stories ring the same bells. A family member has died of leukemia, brain tumors or kidney failure. Young people suffer from asthma and Attention Deficit Disorder (ADD). Too many pets die of cancer or heavy metal poisoning. An alarming number of ALS (Lou Gehrig's Disease) is found within a ten mile radius of the Herculaneum smelter. These are usually being quantified by the Missouri Department of Health or Jefferson County Health Dept., two agencies with less than the public's interest at heart. The actual numbers, if tracked down, would be mind-boggling, I am sure. Go to any house in Herculaneum and the stories will be variations on the above themes. Is it odd to find pets dying of the same maladies or is it a clue?

Herculaneum is a nineteenth century anachronism. Its homes should *never* have been built that close to a lead smelter! Over a century's worth of heavy metal contamination permeate the town and all in it. For the entire time there have been clean air laws, Doe Run's smelter has *never* complied with them. Unsafe levels of lead and other heavy metals are on Herky streets, in lawns, in carpets and in the air. Five miles downstream from Herky, the Mississippi's riverbed is contaminated with lead and other heavy metals. *No other town in Missouri* lives with lead levels this high, not Birch Tree, Willow Springs, Mexico or Jefferson City! Other towns with lesser concentrations are Superfund Sites, such as Bonne Terre and Desloge. Where else are Missouri citizens asked to stay inside, wear masks when mowing the grass and have to go to another town's parks when their own are too poisoned to play in??? Consent decree after consent decree has failed to create better living conditions. They have only worsened. It was in the midst of implementing the most recent one that the 300,00 parts per million lead on the streets was found.

While EPA, MDNR and MDOH have all been stuck in "clean-up mode", Doe Run asks for delays and lengthy clean-up schedules and appeals MDNR orders to simply clean up their mess. *Enough is enough! Justice delayed is justice denied.* EPA has the power to move the people out of town and away from harm. It also has the power to buy out the homes and/or force Doe Run to do that. People in Herculaneum are captive to their home's equity, their ignorance of the situation or by Doe Run's propaganda. People are still buying into Herky without being told of the problems there! The poisoning of this town and its inhabitants is continuing as I write this. (A Herky resident called me this morning to tell of yet more lead concentrate on the haul routes!) Please act *NOW* to prevent further injury and illness to the residents of this unfortunate toxic town.

Enclosed are a few photos illustrating the problems here. A full set of 85 is available.

Sadly and sincerely,

Tom Kruzen, Field Representative for Mo. Coalition for the Environment

Tom Kruzen, Mining Chair for the Ozark Chapter/Sierra Club, President of
Ozark Riverkeepers Network and member of PAR (People at Risk)

HC 67, Box 70-C

Mt. View, Missouri, 65548

Cc: Steve Mahfood, Director, Missouri Dept. of Natural Resources
Governor Bob Holden
Congressman Richard Gephardt
Senator Jean Carnahan, Senator "Kit" Bond



- 1) A Doe Run employee hoses off Main St. into the back yard of a home on the next block...in March, 2000.
- 2) Puny 8 1/2" x 11" MDNR sign closing Herculaneum streets to pedestrian traffic. Despite all the media exposure this summer, pleas from the public and MDNR efforts, this street side contamination continues to this day.
- 3) Street sweepers suck up some of Doe Run's lead concentrate, making ribbons of relative "cleanliness". The lighter patch is approximately half the original high of 300,000 ppm. The sweepers are having difficulty getting below 20,000 ppm. Lead is soft and malleable and gets ground into the macadam surface. If the levels remain in the "thousands" parts per million, it's too high.
- 4) A fifteen year old Herky resident climbs the 27-acre Doe Run slag pile just south of town. This pile contains large amounts of heavy metals, sits in the flood plain of Joachim Creek and the Mississippi River and has NO significant fencing around it to keep people or pets out...or the slag from blowing back into town
- 5) Doe Run's Herculaneum smelter has belched poisonous sulfur dioxide and heavy metal-laden fumes for over 100 years. It has NEVER been in compliance with federal or state clean air laws!
- 6) Lead concentrate on the streets of Herculaneum were as high as 300, 000 parts per million - 30% lead. Though it claims to have the community's interests at heart, Doe Run has appealed an MDNR order to cover trucks and clean up its mess.
- 7) Six inches of lead concentrate coats Forest Service Rd. 4121 in Reynolds County near Doe Run's Buick mine and mill. Like Highway KK and Herculaneum's streets, it suffers from Doe Run's carelessness and callous disregard for public health or property. (or private property as well!).
- 8) Doe Run contractors remove soil from the front yard of the same home 's back yard depicted in photograph number one!
- 9) A Herculaneum resident taking samples of the "mysterious gray dust" coating Herky streets in August, 2001. This same citizen later convinced a reluctant MDNR official to take samples and analyze them. That official analysis found the levels of lead in the dust to be as high as 300, 000 parts per million- a level no community should be asked to live in or adjacent to!!!